

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 1-7 have been canceled in favor of new claims 8-14. Support for the amendments is provided at least in the previous claims and Figs. 2 and 4 and their accompanying descriptions in the specification.

Claims 1-7 were rejected, under 35 USC § 103(a), as being unpatentable over Bakshi (US 6,457,054) in view of Czaja et al. (US 6,804,519). To the extent these rejections may be deemed applicable to new claims 8-14, the Applicants respectfully traverse based on the points set forth below.

Claim 8 defines a communication apparatus that transmits a link establishment request to a receiving side communication apparatus every time information data is transmitted and transmits, to the same receiving side communication apparatus, a link establishment request for the transmission of next information data before terminating a link for transmitting the current information data. The claimed subject matter provides an advantage of identifying, with a link establishment request, the propagation environment of a channel timely, with respect to the communication of information data, so as to enhance the average transmission rate of the information data and reduce the deterioration of communication accuracy (see specification page 2, line 24, through page 3, line 5). (References herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.) Stated more simply, by communicating a link establishment request proximate in time with the communication of information data, the communication of the link

establishment request may be used to characterize the channel conditions the information data may experience during its communication.

The Office Action acknowledges that Bakshi does not disclose the claimed subject matter of transmitting a link establishment request for the transmission of next information data before terminating a link for transmitting current information data (see Office Action page 3, last four lines). To overcome this deficiency, the Office Action proposes, with respect to claim 1, that Czaja discloses a mobile station 124 that establishes a link with a second base station 123 before terminating a link with a first base station 122 (see page 4, lines 3-5).

New claim 8 differs from claim 1 in that it recites transmitting a link establishment request to a receiving side communication apparatus every time information data is transmitted and transmitting, to the same receiving side communication apparatus, a link establishment request for the transmission of next information data before terminating a link for transmitting current information data. Thus, it is submitted that claim 8 distinguishes over Czaja in that the link establishment requests for the communication of current information data and next information data are communicated to the same receiving apparatus, whereas the Office Action proposes that Czaja discloses communicating such link establishment requests to different receiving apparatuses.

Accordingly, the Applicants respectfully submit that the teachings of Bakshi and Czaja, considered individually or in combination, do not render obvious the subject matter defined by new claim 8. Independent claim 14 similarly recites the above-mentioned subject matter distinguishing apparatus claim 8 from the applied references, but with respect to a method.

Therefore, allowance of claims 8 and 14 and all claims dependent therefrom is deemed to be warranted.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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